

candidate agent with TAO polypeptides and subsequently measuring the ability of TAO kinases to modulate the activity of MEK3 polypeptide, classified in class 435, subclass 15; and

Group V: Claims 25-26; drawn to a method of activating a member of stress responsive MAP kinase pathway in an organism comprising administering to an organism a TAO kinase thereby activating the MEK polypeptide, classified in class 242, subclass 94.5.

The Examiner contends that the inventions of Groups I-V are distinct.

In response, Applicants elect without traverse the invention of Group IV, Claim 27, drawn to a method of screening for an agent that modulates signal transduction via MAP kinase pathway comprising contracting a candidate agent with TAO polypeptides and subsequently measuring the ability of TAO kinases to modulate the activity of MEK3 polypeptide. Claims directed to non-elected groups have been canceled without prejudice to Applicants' right to pursue the subject matter of the canceled claims in subsequent applications.

### **CONCLUSION**

Applicants respectfully request that the foregoing remarks be entered and made of record in the file history of the application. An early allowance of the application is earnestly requested.

Respectfully submitted,

Date: May 21, 2002

*Anthony M. Insogna* 35,203  
Anthony M. Insogna (Reg. No.)  
**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, NY 10036-2711  
(212) 790-9090  
by: *Deborah L. Lu*  
Reg. No. 50,940